

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
CR 19-284 (JRT/LIB)

United States of America,)	
)	
Plaintiff,)	
)	
vs.)	DEFENDANT'S MOTION
)	TO EXCLUDE TIME UNDER THE
)	SPEEDY TRIAL ACT
Shelby Gene Boswell,)	
)	
Defendant.)	

The defendant, Shelby Gene Boswell, through and by his lawyer, Paul Engh, and in accordance with 18 U.S.C. 3161 (h) (8) (A) and (B) (iv), moves the Court for an Order continuing the trial, now set for March 2, 2020. Our reasons are these:

1. The psychological evaluation of Mr. Boswell, authorized by this Court, has not been completed. The results of that analysis will assist the defense in deciding the best approach to take as the litigation unfolds.

2. The defense investigation is also incomplete. There are several witnesses yet to be located, some suspected to be out of state, who all need to be contacted and personally interviewed.

3. The Government does not oppose this Motion.

A trial in early March would "unreasonably deny the defendant" the "time necessary for effective preparation, taking into account the exercise of due diligence." 18 U.S.C. 3162 (h) (8) (B) (iv). Thus the "ends of justice" are served granting a continuance. 18 U.S.C. 3161 (h) (8) (A).

This Motion is based upon the face of the Indictment and all matters of record herein, including the attached Statement of Reasons signed by Mr. Boswell.

Dated: February 11, 2020

Respectfully submitted,

/s/ Paul Engh

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